

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FINANCIAL PACIFIC INSURANCE) Case No.: 3:10-cv-00707-RCJ-VPC
COMPANY, a California corporation,)

10 Plaintiff,

vs.

CRUZ EXCAVATING, INC., dba ZEPHYR COMPANIES, INC., a Nevada corporation; SCOTT D. FREIDUS, individually; NAOMI FREJDUS, individually; VINCE SCOTT, individually; JOHN W. ZERWECK, individually; ZECAN PARTNERS, LLC, a Nevada limited liability company; SCOTT PROPERTIES AT TAHOE, a Nevada corporation; DOES I through XX, inclusive and ROE CORPORATIONS I through XX, inclusive.

Defendants

STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Financial
Pacific Insurance Company, a California Corporation by its counsel, Keith E. Gregory, Esq. of
the law firm Keith E. Gregory & Associates, and Defendants, Cruz Excavating, Inc., dba Zephyr
Companies, Inc, a Nevada Corporation, Scott D. Freidus, individually, Naomi Freidus,
individually, John W. Zerweck, individually, Zecan Partners, LLC, a Nevada Limited Liability
Company, Vince Scott, individually and Scott Properties at Tahoe, a Nevada Corporation by their
counsel Devon T. Reese, Esq. of the Law Firm of Reese Kintz, LLC, that this case be dismissed
without prejudice, each party to bear their own costs and attorney fees.

1 This Court is to reserve jurisdiction of this case to enforce the terms and conditions of the
2 Confession and Stipulation of Judgment and Order dated on November 29, 2011, and Addendum
3 dated January 21, 2013.

4 DATED this 18 day of January, 2013.

KEITH E. GREGORY & ASSOCIATES

Keith E. Gregory, Esq.
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*Counsel for Plaintiff, Financial
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DATED this 24 day of January, 2013.

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Counsel for Defendants Cruz Excavating, Inc., dba Zephyr Companies, Inc., a Nevada Corporation; Scott D. Freidus, individually; Naomi Freidus, individually; Vince Scott, individually; John W. Zerweck, individually; Zecan Partners, LLC, a Nevada Limited Liability Company; and Scott Properties at Tahoe, a Nevada Corporation

ORDER

24 BASED UPON THE FOREGOING STIPULATION and good cause appearing therefore,
25 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED Defendants Cruz
26 Excavating, Inc., dba Zephyr Companies, Inc, a Nevada Corporation, Scott D. Freidus,
27 individually, Naomi Freidus, individually, John W. Zerweck, individually and Zecan Partners,
28 LLC, a Nevada Limited Liability Company, Vince Scott, individually, and Scott Properties at

1 | Tahoe, a Nevada Corporation, be dismissed, without prejudice, with each party to bear their own
2 | costs and attorneys fees.

IT IS FURTHER STIPULATED AND AGREED this Court will reserve jurisdiction to enforce the terms and conditions of the Confession and Stipulation to Judgment and Order filed on November 29, 2011 and Addendum dated January 21, 2013.

6 DATED this 20th day of February, 2013.

**ROBERT C. JONES,
U.S. DISTRICT COURT JUDGE**

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